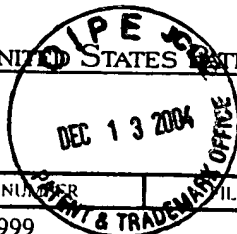




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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/676,999	10/01/2003	Thomas Q. Dinh	P1289 CIP (2650/116)

CATHERINE MARESH  
MEDTRONIC VASCULAR, INC.  
3576 Unocal Place  
Santa Rosa, CA 95403

CONFIRMATION NO. 7261

**FORMALITIES LETTER**



\*OC000000011569527\*

Date Mailed: 12/24/2003

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

12/14/2004 SMINASSI 00000015 012525 10676999

01 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

COPY

*Shaine*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/676,999
	Filing Date	October 1, 2003
	First Named Inventor	DINH, Thomas Q.
	Art Unit	3731
	Examiner Name	Unassigned
Total Number of Pages in This Submission	Attorney Docket Number	PA1289 CIP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Previously Filed Response to Notice to File Missing Parts and Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Medtronic Vascular, Inc.		
Signature			
Printed name	Catherine C. Maresh		
Date	December 7, 2004	Reg. No.	35,268

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Kimberly Melvin	Date	December 7, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in the envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 7, 2004.

By: \_\_\_\_\_

Kimberly Melvin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/676,999 Confirmation No.: 7261  
Applicant : DINH, Thomas Q.  
Filed : October 1, 2003  
TC/A.U. : 3731  
Examiner : Unassigned  
Docket No. : PA1289 CIP  
Customer No. : 28390  
Title : Drug-Eluting Stent For Controlled Drug Delivery

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

In response to the Notice to File Missing Parts mailed November 15, 2004, Applicants submit a copy of the previously filed response to the December 24, 2003 Notice to File Missing Parts. Applicants believe that no fee is due, however, The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 01-2525.

Reconsideration of this Application and entry of this Request for a Corrected Filing Receipt is respectfully requested. The undersigned can be reached at (707) 543-0221

Respectfully submitted,

Catherine C. Maresh  
Registration No. 35,268  
Attorney for Applicant

Medtronic Vascular, Inc.  
3576 Unocal Place  
Santa Rosa, CA 95403  
Facsimile No.: (707) 543-5420

COPY

Applicant: Thomas G DINH, et al Our File No: P1289 CIP

Serial No: 10/676,999 Filing Date: 10/01/2003

Title of the Invention: Drug Eluting Stent for Controlled Drug Delivery

Receipt in the U.S. Patent and Trademark Office of the following papers is acknowledged:

☒ Transmittal Letter ☒ Declaration and Power of Attorney

☐ Specification, ☐ pgs. ☐ Assignment

☐ Claims, ☐ ☐ Information Disclosure Statement

☐ Drawings, ☐ sheets ☐ Amendment/Response to Office Action, dated ☐

☒ Other: Fee Transmittal; Notice to File Missing Parts; Return Postcard

Applicant: Thomas G DINH, et al Our File No: P1289 CIP

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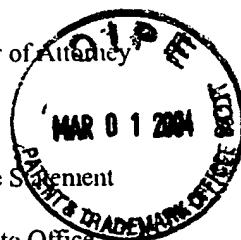
☒ Transmittal Letter ☒ Declaration and Power of Attorney

☐ Specification, ☐ pgs. ☐ Assignment

☐ Claims, ☐ ☐ Information Disclosure Statement

☐ Drawings, ☐ sheets ☐ Amendment/Response to Office Action, dated ☐

☒ Other: Fee Transmittal; Notice to File Missing Parts; Return Postcard



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